REMARKS

In the Office Action, dated October 31, 2006, the Examiner states that Claims 1-12 and 35-37 are pending, and Claims 1-12 and 35-37 are rejected. By the present Amendment, Applicant amends the claims.

In the Office Action, Claims 1-12 and 35-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Higashio (US 6,421,062) in view of Mizoguchi (US 5,805,215). The Applicant respectfully disagrees with and traverses the rejections.

Each of the independent claims have been amended to clarify that the event information database data is current and/or passing events social information, and not one of social, current or passing information.

The Office Action indicates "The applicant asserts, ...Higashio... does not disclose social events, as "birthday" and "wedding anniversary" are personal events.... Also, "wedding anniversary" can be viewed as personal events instead of social events but the claims state "social, current and/or passing events", and "birthday" and "wedding anniversary" can definitely fall into the passing events category.

With respect to this point, the phrase "social, current and/or passing events" in Claims 1, 7, 10 have been amended as stated above in order to clarify that the present invention is directed only to social events information. Thus, the Applicant again asserts that Higashio does not disclose social events and thus differs from the subject matter of the claimed invention.

Next, the Office Action indicates "The Examiner agrees that Higashio does not disclose retrieval of image data based on the time that is related to the orjginal image, ...although a user can add any other additional information to the image data, which may include the occurrence time of the event. ...Thus, it is possible for Higashio to store information such as event genre information and occurrence time of the event associated with image data ...Further Mizoguchi discloses storing image data with associated event genre information and occurrence time of the event (see Fig. 6C and column 7 lines 10-27 and 56-60). Mizoguchi also discloses retrieving the image data based on both the event genre information and the occurrence time of the event (see column 8 lines 7-48). Therefore, the combination of Higashio and Mizoguchi disclose all the limitation set forth in the claims as currently recited."

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However, the Applicant respectfully disagrees with the above assertion.

Mizoguchi does not disclose that the selection of the event information to be added to the original image is performed by at least two steps, namely, at least by genre and by the occurrence time of the event. Please note that what is disclosed in Mizoguchi is the selection of image data by genre and by time, but not the selection of event information.

Furthermore, the description at column 8, lines 7-48, in Mizoguchi relates to the retrieval of image data from a completed database wherein the image data have already linked with the genre, the time, etc.

When linking the image data with the event data, as described in column 7 lines 10-27 in Mizoguchi, the linking is performed by one step using a common data, such as time, between the first data (including image data) and the second data (including event data).

On the other hand, in Higashio, the synthesizing of image data with photo frame (event) is performed by linking the image data with the photo frame data.

Therefore, when considering the combination of Higashio and Mizoguchi, the Mizoguchi 's retrieving method for the completed database can hardly be applied to the synthesizing (linking) step in Higashio. Thus, the present invention is not considered anticipated by or obvious from by the combination of Higashio and Mizoguchi.

As is clear from the amended claims in the present application, the selection of the event information to be added to the original image is performed by at least two steps, namely at least genre selection and retrieval with the time which is related to the original image. In contrast, in Higashio, the selection is performed by one step. Namely, the "retrieval" in Higashio is to choose the image (image data of the image) to be printed from a storage medium, such as a CD-ROM, by hitting a search key such as "birthday", "Christmas", or "Wedding anniversary", to the index data stored in CD-ROM for the image data. Based on such an event information from the index data or additionally inputted event information, an image is processed where ornamental frames corresponding to the event information are added to the image data.

Further, in Higashio the event information is an index data of the image data, and is not obtained as a result of retrieval with the time which is related to the

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original image. Further, "birthday" and "wedding anniversary" are not social events, but personal events.

Next, as previously argued, what is disclosed in Mizoguchi is a personal information processing apparatus which has (A) image data inputting means, (B) event data inputting means, (C) detector which detects whether first data associated with the image data is identical to second data associated with the event data, (D) storing means which stores the event data and the image data so as to be associated together directly, when the detector detects that the first data is identical to or included in the second data, and (E) searching means for image data on the basis of the image data stored in the storing means. In summary, upon filing image data, without necessitating the input of works for an entire numerous classifying data to be needed for filing the image data, only a few data are inputted, such as occurrence time of the event and correlating the inputted data (first data) to the already inputted data (second data), such as the schedule data of an electronic personal organizer, and is thus capable of utilizing the second data for the filing to perform an efficient filing.

As described above, although Mizoguchi discloses the retrieval of image data, but not the retrieval of event data, and the retrieval is for a completed database wherein the image data has already been linked with the genre, the time, etc., there is no relation to the data linking step. Thus, Mizoguchi also fails to disclose that the selection of the event information to be added to the original image is performed by at least two steps. Further, the second data in Mizoguchi is a personal event data, and thus the user must input such data at least one time. Mochizuki aims only to exclude the duplicate input works for such data.

Thus, the subject matter of independent Claims 1, 7 and 10 are not considered obvious from the combination Higashio and Mizoguchi.

Further regarding Claims 35-37, the Office Action indicates that "Higashio further discloses wherein the genres of the event information comprise entertainments news, sports, science, political economy, and non-genre (see column 6 lines 5-66, reference shows genres such as birthday, Christmas, or wedding anniversary, which would fall into the non-genre category as non-genre is seen to be anything not part of the other listed genres.)" However, assuming that the disclosed "birthday, Christmas, or wedding anniversary" fall into the non-genre, when the genre

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interested is only non-genre, the selection of the genre become nonsense and thus it is differ from the genres comprising two or more genres as in Claims 35-37.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

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Date

Attorney for Applicant
Brian W. Hameder
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300
Reg. No. 45613

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